

GAU 1771

Case #2041



USPTO CUSTOMER NO. 25280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: James O. Burke, III et al.

Serial Number: 09/128,289

Filed: August 3, 1998

For: **FLOOR MAT EXHIBITING REDUCED RIPPLING
EFFECTS AND IMPROVED DELAMINATING
CHARACTERISTICS OF ITS TUFTED PILE FIBERS**

Group Art Unit: 1771
Examiner: Juska, C.

RESPONSE

Honorable Commissioner for Patents
Washington, D. C. 20231

RECEIVED
SEP 12 2000
TC 1700 MAIL ROOM

Sir:

This letter is in response to the office Action dated July 28, 2000 and received on August 7, 2000.

REMARKS

Claims 1 - 8 and 10 - 17 were rejected.

All of the claims were rejected with EP 702929 (equivalent U.S. 5,902,662) being the basic reference under 35 USC 113 (a).

As noted by the Examiner, all of the claims require the non-woven carpet pile substrate to possess "a heat shrinkage factor of from about 2.0% to about 2.5%." This is a critical limitation clearly not shown or anticipated in any of the cited and/or applied prior art. It should be noted that the basic reference relied upon, namely EP 702929, is in the name of one of the co-inventors